

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,	)	
	)	No. CR-11-115-FVS
Plaintiff,	)	
	)	ORDER GRANTING ORAL MOTION
v.	)	TO MODIFY CONDITIONS OF
	)	RELEASE
ROBERT THOMAS BLAKE,	)	
	)	
Defendant.	)	

---

On December 9, 2011, Defendant appeared with counsel Frank Cikutovich, based upon a Petition for Action on Conditions of Pretrial Release; Assistant U.S. Attorney Russell Smoot represented the United States.

The court makes no findings with respect to alleged violations of condition of release. The Defendant's oral Motion to modify conditions of release (**ECF No. 49**) is **GRANTED** as follows:

1. Defendant shall undergo a substance abuse evaluation and Defendant shall complete treatment indicated by the evaluation or recommended by Pretrial Services and shall comply with all rules of a treatment program. Defendant shall be responsible for the cost of testing, evaluation and treatment, unless the United States Probation Office should determine otherwise. The United States Probation Office shall also determine the time and place of testing and evaluation and the scope of treatment. If Defendant fails in any way to comply or cooperate with the requirements and rules of a treatment program, Pretrial Services shall notify the court and the

1 U.S. Marshal, who will be directed to immediately arrest the  
2 Defendant.

3 2. If random urinalysis testing is not done through a  
4 treatment program, random urinalysis testing shall be conducted  
5 through Pretrial Services, and shall not exceed six (6) times per  
6 month. Defendant shall submit to any method of testing required by  
7 the Pretrial Service Office for determining whether the Defendant is  
8 using a prohibited substance. Such methods may be used with random  
9 frequency and include urine testing, the wearing of a sweat patch,  
10 a remote alcohol testing system, and/or any form of prohibited  
11 substance screening or testing. Defendant shall refrain from  
12 obstructing or attempting to obstruct or tamper, in any fashion,  
13 with the efficiency and accuracy of prohibited substance testing.  
14 Full mutual releases shall be executed to permit communication  
15 between the court, Pretrial Services, and the treatment vendor.  
16 Treatment shall not interfere with Defendant's court appearances.

17 3. The Defendant shall participate in a program of  
18 electronically monitored home confinement. The Defendant shall  
19 wear, at all times, an electronic monitoring device under the  
20 supervision of U.S. Probation. In the event the Defendant does not  
21 respond to electronic monitoring or cannot be found, the U.S.  
22 Probation Office shall forthwith notify the United States Marshals'  
23 Service, who shall immediately find, arrest and detain the  
24 Defendant. The Defendant shall pay all or part of the cost of the  
25 program based upon ability to pay as determined by the U.S.  
26 Probation Office.

27 4. Defendant shall be restricted to his/her residence at all  
28 times, except for court-related matters, religious services,

1 medical appointments, and substance abuse treatment.

2 **IT IS SO ORDERED.**

3 DATED December 9, 2011.

4  
5 S/ CYNTHIA IMBROGNO  
6 UNITED STATES MAGISTRATE JUDGE  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28